

Notice of Allowability

Application No.

09/639,658

Examiner

Eric Hug

Applicant(s)

HANSEN ET AL.

Art Unit

1731

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on January 17, 2006.
2. ☒ The allowed claim(s) is/are 55,57,58,65 and 67-84.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 10/28/2003
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. The application has been amended as follows:

REPLACE page 1, second paragraph and all of page 1A with----

Cross Reference to Related Applications

This application is a divisional of U.S. Patent Application 09/167,995, filed October 7, 1998, now U.S. Patent No. 6,340,411, which is a divisional application of Serial No. 08/693,517, filed August 2, 1996, now abandoned, which is a divisional application of Serial No. 08/197,483, filed February 16, 1994, now U.S. Patent No. 5,547,541, which is a continuation-in-part application of the following U.S. Patent Applications, each of which was filed on August 17, 1992, in the names of Michael R. Hansen and Richard H. Young, Sr. Each of these applications is hereby incorporated herein by reference: (1) Serial No. 07/931,059, now U.S. Patent No. 5,543,215, entitled "POLYMERIC BINDERS FOR BINDING PARTICLES TO FIBERS"; (2) Serial No. 07/931,277, now U.S. Patent No. 5,538,783, entitled "NON-POLYMERIC ORGANIC BINDERS FOR BINDING PARTICLES TO FIBERS"; (3) Serial No. 07/931,213, now U.S. Patent No. 5,300,192, entitled "WET LAID FIBER SHEET MANUFACTURING WITH REACTIVATABLE BINDERS FOR BINDING PARTICLES TO BINDERS"; (4) Serial No. 07/931,278, now U.S. Patent No. 5,352,480, entitled "REACTIVATABLE BINDERS FOR BINDING PARTICLES TO FIBERS"; (5) Serial No. 07/931,284, now U.S. Patent No. 5,308,896, entitled "PARTICLE BINDERS FOR HIGH BULK FIBERS"; and (6) Serial No. 07/931,279, now U.S. Patent No. 5,589,256, entitled "PARTICLE BINDERS THAT ENHANCE FIBER DENSIFICATION."

Application Serial No. 08/197,483, now U.S. Patent No. 5,547,541, is also a continuation-in-part of the following U.S. Patent Applications, each of which was filed on August 17, 1993 in the names of Michael R. Hansen and Richard H. Young, Sr., and each of which is hereby incorporated by reference: (7) Serial No. 08/107,469, now U.S. Patent No. 5,672,418, entitled "PARTICLE BINDERS"; (8) Serial No. 08/108,219, now U.S. Patent No. 5,607,759, entitled "PARTICLE BINDING TO FIBERS"; (9) Serial No. 08/107,467, now U.S. Patent No. 5,693,411, entitled "BINDERS FOR BINDING WATER SOLUBLE PARTICLES TO FIBERS"; (10) Serial No. 08/108,217, now U.S. Patent No. 5,547,745, entitled "PARTICLE BINDERS"; and (11) Serial No. 08/108,218, now U.S. Patent No. 5,641,561, entitled "PARTICLE BINDING TO FIBERS".

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Application Serial No. 08/197,483, now U.S. Patent No. 5,547,541, is also a continuation-in-part of U.S. Patent Application Serial No. 08/192,682, filed on February 7, 1994, now abandoned, in the names of Richard K Jewell, Hugh West, Robert H. Young, Elisabeth A. Wallbank, Amar N. Neogi, Donald D. Halabisky, and Michael R. Hansen, entitled "METHODS AND COMPOSITIONS FOR INCREASING THE ABSORBENCY OF SUPERABSORBENT POLYMERS". The benefit of the filing dates of these earlier applications is hereby claimed under 35 U.S.C. § 120.

Allowable Subject Matter

Claims 55, 57, 58, 65, and 67-84 are allowed.

The following is a statement of reasons for allowance:

Claims 55, 57, 58, 65 and 67-77 are allowed, because the prior art does not disclose or suggest a method of binding superabsorbent particles to cellulose fibers including the steps of providing cellulose fiber with 1-40% of a binder comprising a non-polymeric diol and then binding superabsorbent particles to the binder-containing fiber.

Claims 78-84 are allowed, because the prior art does not disclose or suggest a method of binding superabsorbent particles to cellulose fibers including the steps of providing cellulose fiber with 1-40% of a binder comprising a hydroxy acid and then binding superabsorbent particles to the binder-containing fiber.

Response to Arguments

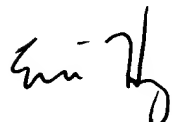
Applicant's arguments filed January 17, 2006 have been fully considered.

The arguments have overcome the rejection set forth previously under 35 U.S.C. 103(a) over Assarsson (US 3,901,236). Furthermore, the amendment to claim 55 clarifies the order of addition of components. It is recognized that in Assarsson the non-polymeric glycols discussed are used for swelling the absorbent particles prior to or during mixing with cellulose fibers.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Hug whose telephone number is 571 272-1192.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571 272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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